

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 67-10929
Date Received: 10/17/1989
Receipt No: W006340
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MEL R CUNNINGHAM Phone: (208)549-1729
1820 JACKSON RD
WEISER ID USA 83672

2. Date of Priority: 06/01/1874

3. Source: MANN CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
12N	05W	11	SE	SE	NE	WASHINGTON	

5. Description of diverting works:

DIVERSION FROM MANN CK. VIA MANN CK DITCH, HEADGATE, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.96	

7. Total Quantity Appropriated is:
0.96 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
12N	04W	19	SW	SW	4	IRRIGATION	32
						Section Acres	32
12N	05W	24	SE	SE		IRRIGATION	16
						Section Acres	16
						Total Acres	48

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A COMBINATION OF A PORTION OF WATER RT. # 67-00517 (2.1") AND 67-00518 (45.95").

15. Basis of Claim: Decreed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>A67-00580B</u>		☐			☐
<u>A67-10929</u>		☐			☐
PP <u>A67-10927</u>		☐			☐
PP <u>A67-10654</u>		☐			☐
		☐			☐

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

B.C. or Barbara J. CUNNINGHAM
P.O. Box 1202, Cascade, ID. 83611

4. New Owner/Claimant(s)

Me! R. CUNNINGHAM

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1820 Jackson Rd.

City, State and ZIP Code

Weiser, ID. 83672

New Telephone Number

208 549-1729

5. Date you acquired the property

December 28 1998

SCANNED

DEC 09 2006

Approved by:
Initials MC

WARRANTY DEED

FOR VALUE RECEIVED, **BILLY C. CUNNINGHAM** and **BARBARA J. CUNNINGHAM**, husband and wife, the Grantors, do hereby, grant, bargain, sell and convey unto **MEL R. CUNNINGHAM**, an unmarried person, the Grantee, whose address is **1820 JACKSON RD. WEISER, ID 83672**, the following described real estate situated in Washington County, State of Idaho, to-wit:

SEE ATTACHED EXHIBIT

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his successors and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 22nd day of December, 1998.

Billy C. Cunningham
Billy C. Cunningham

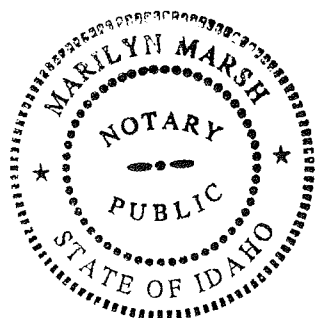
Barbara J. Cunningham
Barbara J. Cunningham

STATE OF IDAHO)
County of Valley) : ss

On this 22 day of December, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared **Billy C. Cunningham and Barbara J. Cunningham**, known to me to be the persons who signed the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Marilyn Marsh
Notary Public for Idaho
Residing at Cascadia, Idaho
Commission expires 5-26-00



Commission Expires 5-26-2000

SCANNED
DEC 09 2006

Exhibit A
Cunningham/Cunningham
Warranty Deed

IN WASHINGTON COUNTY, IDAHO:

TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

Section 19: Lot 4; and a tract in Lot 3 described as:
Beginning at the southeast corner of Lot 3,
Thence North 2 rods,
Thence westerly to the southwest corner of said Lot 3,
Thence East to the place of beginning;

TOWNSHIP 12 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN:

Section 24: Beginning at the northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence West 34 rods;
Thence South 24 rods;
Thence West 39 feet, more or less, to the West bank of Mann
Creek;
Thence southerly along the West bank of Mann Creek to the
South line of the said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence East to the southeast corner of the said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North to the POINT OF BEGINNING.

INSTRUMENT NO. 174990

STATE OF IDAHO, COUNTY OF WASHINGTON ss.

Filed for record at the request of

WASHINGTON COUNTY TITLE

04 Min. past FIFTEEN o'clock P. M

This 28TH day of DECEMBER 19 98

Index to: DEEDS

SHARON WIDNER, Recorder Fee: \$6.00

By Lisa McKnight Deputy

WASHINGTON COUNTY TITLE

Cmp. Index
Cmp. Rel.
Film
Compare
Card Rel.
Bk. Rel.
Up-date
Return
Copy

SCANNED

DEC 9 2006

181156

19-12-4 & 24-12-5

DEED OF RECONVEYANCE

WASHINGTON COUNTY TITLE CO., an Idaho corporation, as Trustee in the Deed of Trust executed by MEL R. CUNNINGHAM, an unmarried person, which Deed of Trust was recorded in the office of the County Recorder of Washington County, State of Idaho on December 28, 1998 as Instrument No. 174991, does hereby reconvey without warranty to the person or persons legally entitled thereto all the estate now held by it under said Deed of Trust.

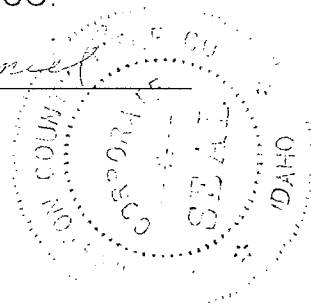
IN WITNESS WHEREOF, WASHINGTON COUNTY TITLE CO. has caused these presents to be executed by its duly authorized officer.

Original Beneficiary: Billy C. and Barbara J. Cunningham

Dated: November 7, 2000

WASHINGTON COUNTY TITLE CO.

By G. Frances McDaniel
G. Frances McDaniel



STATE OF IDAHO)
(ss.
County of Washington)

On November 7, 2000, before me the undersigned, a Notary Public in and for said State, personally appeared G. Frances McDaniel, known or identified to me to be the Secretary of WASHINGTON COUNTY TITLE CO., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Instrument # 181156

WEISER, WASHINGTON, IDAHO

2000-11-07 03:05:00 No. of Pages: 1

Recorded for : WASHINGTON COUNTY TITLE

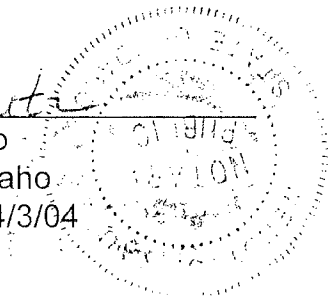
SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: MORTGAGE - RELEASE OF

Sharon Widner

Wendy S. Kautz
Notary Public for Idaho
Residing at Weiser, Idaho
Commission expires: 4/3/04



SCANNED

DEC 09 2006

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A67-10929
Date Received: 10/17/1989
Receipt No: W006340
Received By: DE AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: B. C. CUNNINGHAM 208-549-1729
Address: 1820 JACKSON RD.
WEISER, ID 83672

OR

Name: BARBARA J. CUNNINGHAM 208-549-1729
Address: 1820 JACKSON RD.
WEISER, ID 83672

2. Date of Priority: JUN 01, 1874

3. Source: MANN CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	05W	11	SE	SE	NE		WASHINGTON

5. Description of diverting works:

DIVERSION FROM MANN CK. VIA MANN CK DITCH, HEADGATE, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.960		

7. Total Quantity Appropriated is:

0.960 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 144.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	04W	19	SW	SW	4	IRR	32.0
						Section Acres	32.0
	05W	24	SE	SE		IRR	16.0
						Section Acres	16.0
						Total Acres	48.0

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
CLAIM NO. A67-

14. Remarks:
THIS RIGHT IS A COMBINATION OF A PORTION OF WATER RT. # 67-00517
(2.1") AND 67-00518 (45.95").

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

A67-10929

10-17-89

W006340

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) B.C. OR BARBARA J. CUNNINGHAM Phone 208 549-1729

Mailing Address 1820 JACKSON RD., WEISER, ID Zip 83672

2. Date of Priority (Only one (1) per claim) 6-1-1874

3. Source of water supply (a) MANN CREEK
which is tributary to (b) WEISER RIVER

4. a. Location of existing point of diversion is: Township 12N Range 5W Section 11,
SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of WASHINGTON

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

DIVERSION FROM MANN CK.
VIA MANN CK. DITCH. HEADGATE IN DITCH WITH
GRAVITY FLOW FOR FLOOD IRRIGATION.

MICROFILMED

OCT 05 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-15 to 11-15 amount .96 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .96 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 144 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
12N	4W	19											14.4 32						32
12N	5W	24																16	16

Total number of acres irrigated 48

11. In which county (ies) are lands listed above as place of use located? WASHINGTON

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
CLAIM NO. A67- or None ()

14. Remarks:
THIS RIGHT IS A COMBINATION OF A PORTION OF
WATER RT. NO. 67-00517 (2.1") AND 67-00518 (45.95").

Last Name

CUNNINGHAM

Ident No.

A67-10929

MICROFILMED

Copies: White -State, Yellow-Claimant

OCT 05 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 62-00512 + 62-00518 (PART of 00517)
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0 MAD FILED IN A67-00580A

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) B. L. Cunningham Date 10/17/89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 17th day of October 19 89

SEAL

Notary Public Jan Thurtell

Residing at Meridian ID

My Commission Expires 9-14-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name CUNNINGHAM Ident. Number A67-10929

MICROFILMED
Copies White-State, Yellow-Claimant
OCT 05 1992

12/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-10929

NAME AND ADDRESS: MEL R CUNNINGHAM
1820 JACKSON RD
WEISER ID 83672

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.900 CFS

Right Nos. 67-580B and 67-10929 are limited to a total combined diversion rate of 0.90 cfs.

This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.

PRIORITY DATE: 06/01/1874

This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all other rights that have not been identified as a Primary Right on Mann Creek.

POINT OF DIVERSION:

T12N R05W S11 SESENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.900 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T12N R04W S19 Lot 4 SWSW	27.00	T12N R05W S24	SESE	18.00
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45 ACRES TOTAL

Right Nos. 67-580B and 67-10929 are limited to the irrigation of a combined total of 45.0 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

12/10/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-10929

NAME AND ADDRESS: BARBARA J CUNNINGHAM
1820 JACKSON RD
WEISER ID 83672

B C CUNNINGHAM
1820 JACKSON RD
WEISER ID 83672

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.900 CFS

Right Nos. 67-580B and 67-10929 are limited to a total combined diversion rate of 0.90 cfs.

This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.

PRIORITY DATE: 06/01/1874

This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all other rights that have not been identified as a Primary Right on Mann Creek.

POINT OF DIVERSION:

T12N R05W S11 SESENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.900 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T12N R04W S19 Lot 4 SWSW	27.00	T12N R05W S24	SESE	18.00
--------------------------	-------	---------------	------	-------

45 ACRES TOTAL

Right Nos. 67-580B and 67-10929 are limited to the irrigation of a combined total of 45.0 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10929 V1

WATER RIGHT NUMBER: 67-10929 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARBARA J CUNNINGHAM 1820 JACKSON RD WEISER, ID 83672 (208)549-1729
Current Owner	B C CUNNINGHAM 1820 JACKSON RD WEISER, ID 83672 (208)549-1729

Priority Date: 06/01/1874

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MANN CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.900 CFS	
	<u>Total Diversion:</u>	0.900 CFS	

Location of Point(s) of Diversion

MANN CREEK	SE1/4SE1/4NE1/4	Sec. 11, Twp 12N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
12N 04W 19	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	27.0
			27.0 L 4		27.0
12N 05W 24				18.0	18.0

Total Acres: 45

Conditions of Approval:

1. 169 This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all Secondary Rights on Mann Creek.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10929 V1

3. 167 This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.

Remarks:Comments:

1. dnarsavage 1/9/2006 POU

Comment: The claimed POU here is exactly the same as the POU decreed to 67-518 by JvH. I see no reason that the claimants should need to claim any part of 67-517.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	11/18/2005 1:44:39 PM	dnarsavage			Active
POD	11/18/2005 3:41:25 PM	dnarsavage			Active
Source	11/18/2005 3:42:57 PM	dnarsavage			Active
POU	11/18/2005 3:43:28 PM	dnarsavage			Active
Quantity	11/18/2005 3:44:34 PM	dnarsavage			Active
Use	11/18/2005 3:44:55 PM	dnarsavage			Active
Season	11/18/2005 3:45:18 PM	dnarsavage			Active
Summary			11/18/2005	dnarsavage	Active
Summary			01/09/2006	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10929 V1

General	11/18/2005 1:44:42 PM	dnarsavage	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (Yes) 16. Is a Priority Date remark and/or condition required?
POU	11/18/2005 3:43:51 PM	dnarsavage	Updated shape for Active POU
Summary	1/9/2006 2:45:12 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	9/28/2005 7:42:19 AM	dnarsavage	Updated shape for Active POU
POU	9/28/2005 7:42:36 AM	dnarsavage	Updated PLS for Active POU
Source	11/18/2005 3:43:07 PM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	9/28/2005 7:42:41 AM	dnarsavage	Edited Season Of Use
Quantity	11/18/2005 3:44:33 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?

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Season	11/18/2005 3:45:17 PM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	11/18/2005 3:41:35 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	11/18/2005 3:42:28 PM	dnarsavage	Updated shape
POU	11/18/2005 3:43:27 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	11/18/2005 3:44:54 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Summary	11/18/2005 3:45:46 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES
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Water Supply Bank:



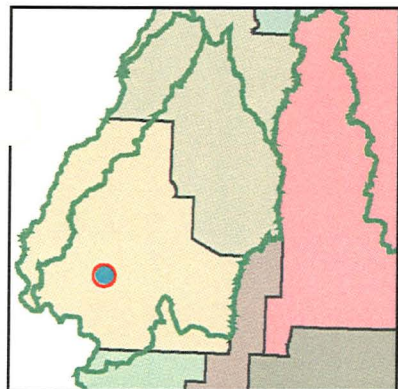
Idaho Department of Water Resources

Adjudication Claim Number: **67-10929**

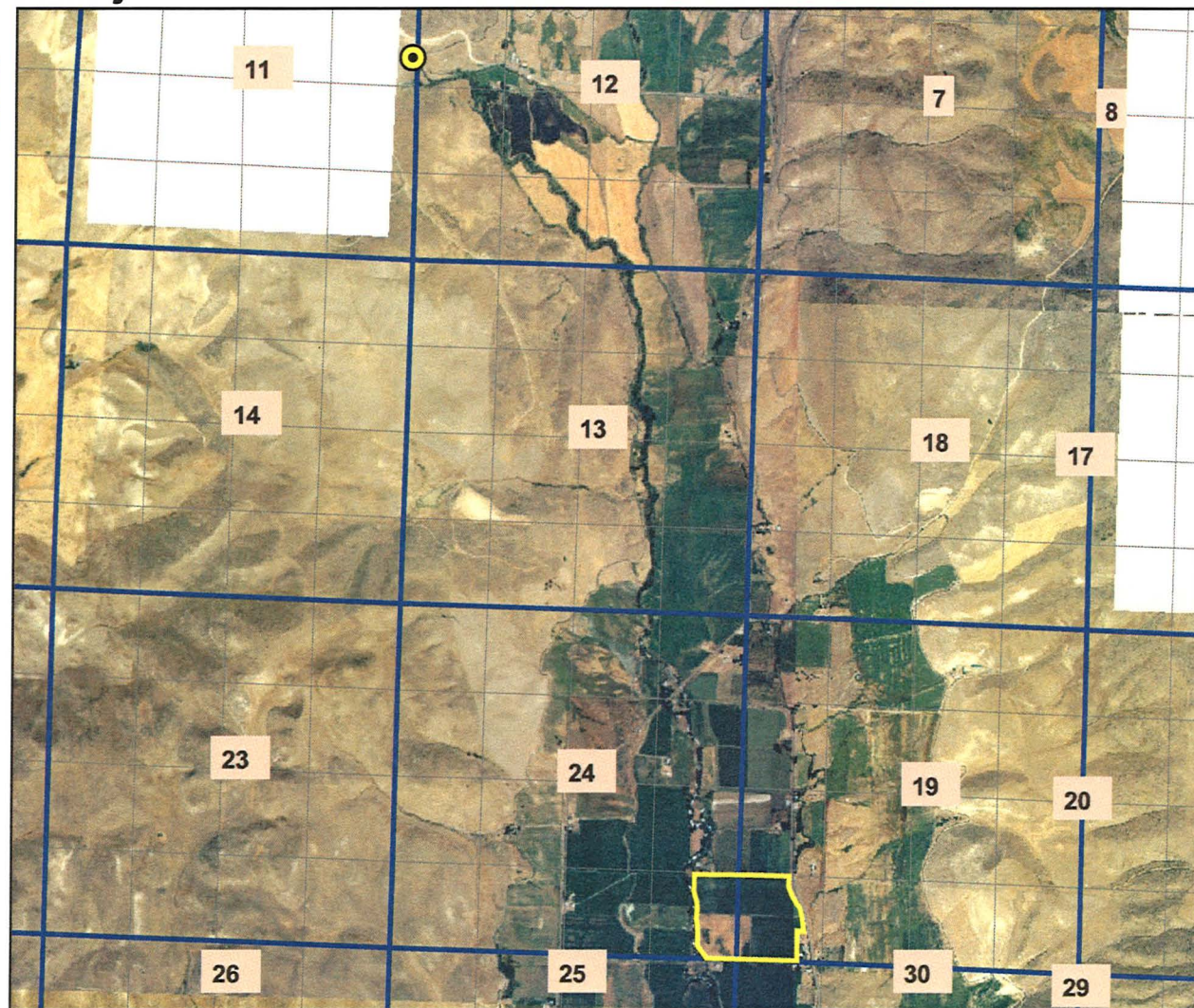
T12N R04W
T12N R05W

Legend

-  Point of Diversion
-  Place of Use
-  PLS Sections
-  GCDBQuarter Quarters



Washington County
IDWR Basin 67



0 1 2 Miles

Prepared by D. Narsavage
On Monday, December 5, 2005
1987/88 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 67-10929

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: AS CLAIMED = AS DECREED IN 1921
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

MANN CRK DITCH

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME 0.96 CLAIMED 0.922 DECREED (1921)

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☒ Changes found, the new total is, Amount 0.9 CFS N/A AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☒ See additional attachment

45 ACRES, NOT 48. ONLY 46.1 ACRES DECREED IN JWH.

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☒ CHECK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 1/9/06

FIELD EXAMINER: CRAIG L. SAXTON DLN
Print Name

[Signature]
Signature